

STATE OF CONNECTICUT

EDWARD R. MAMBRUNO



Terrence W. Macy, Ph. D
DDS Commissioner

DDS Council Monthly Report

Meetings held and/or attended

January 2012

- CO Quality Improvement Director
- West Regional Director
- CO Facilities Director
- Central Office Legal Department
- DAS Legal Counsel/ADA meeting
- Audit Department
- Budget Director
- West region, Assistant Regional Director
- West, ARD- Individual & Family Supports
- South Assistant Regional Director
- South Case Manager Supervisor
- Assistant Attorney General
- CO Psychiatrist/Eligibility
- Governor's Coalition for Youth with Disabilities
- Commission on Human Rights and Opportunities `
- Operations Department
- North Regional Director
- North Assistant Regional Director
- EEOC Department
- Abuse/Neglect and Division
- Department of Developmental Services, Council Meeting

Concerns\ Issues

- Attended IP with consumer, mom and dad. Meeting went very well planning supports for consumer to begin to live on his own. Mom was very pleased with new case manager. Apartment was found and rent subsidy does not look to be needed. Private provider and region working well together and proactively looking at what obstacles may need to be addressed now instead of later.
- Received a call from mom/Guardian requesting that my office look into why her son was deemed ineligible by D.D.S. and asked if I could assist her with an appeal to his eligibility denial. She claimed that

her lawyer stated that D.D.S.'s denial was unfair and asked if I could look into why this was the case. Mom also stated that while she believed her son did not have mental retardation she wanted services from D.D.S. Mom was applying through Probate Court for a Guardian. Mom also was questioning why DDS did not test her son for mental retardation and was leery of the school's evaluation.

1. A person in Connecticut cannot have a Guardian unless he or she is a person with mental retardation. On the Probate Court application the first question is... Does the person have mental retardation as defined by the Connecticut Statute §1-1g? The DDS team answered no based on the testing they reviewed by mom's own admission "my son is NOT mentally retarded"

Unfortunately, her Attorney was misinformed.. The DDS teams that did the Guardianship evaluation do not and have never done any testing as part of the process. There is no independent testing of any kind that DDS request or recommend be done. The whole process is a 'paper' review and a meeting the person who is applying for Guardianship through the Probate Court.

2. Her son was not denied DDS Eligibility. This can only be done by applying to the DDS Eligibility Unit, and there is no applicant in the Eligibility Unit Database . As to the denial of Guardianship by the Probate Court, DDS has nothing to do with any appeal. This is a Probate Court issue not a DDS issue.

I do not know why her Attorney or the Probate Court did not tell that she should apply to the Probate Court to become the Conservator of her son. Conservatorship has nothing to do with DDS or mental retardation.

3. Finally, mom cannot appeal and ask for a Hearing with DDS regarding the Probate Court Guardianship process, as DDS have not denied the guardian the Probate Court did. Her son was not denied DDS Eligibility by the DDS Eligibility Unit; he was denied a guardian by the Probate Court. There is no right to a Hearing with DDS.

Finally, I referred her to Dr. Zuckerman CO psychiatrist/eligibility unit. Spoke with Dr. Zuckerman who stated that mom was poorly informed with regards to DDS eligibility and that he would be happy to speak with mom regarding all her questions.

- Contacted region regarding the closing of a long-term care facility in which one of our consumers resides. Asked region what contingencies they had in place and if they had been in contact with family member who had contacted central office. Region stated that nursing home may still stay open but were looking for placement in the meantime. Region confirmed nursing home will close. Due to the medical issues consumer needs skilled nursing care. Region looking into MFP (money follows the person) possibilities.

Mom called office asking what contingencies DDS has if she is unable to take care of her daughter once she returns home from the hospital. Mom was also upset that case manager had not been in contact with her to talk about contingencies. Mom does not want placement she just wants to know that her daughter will be taking care of if she is unable to take care of her after her hospital stay.

E-mailed regional case manager supervisor asked if he could call mom and inform her of what is available if respite is not enough.

Case manager supervisor informed mom that DDS regional respite centers do not have the ability to provide long-term respite. They are only available from Thursday afternoon to Tuesday morning and that everyone has to leave at that point.

Mom was informed that if her daughter needs longer out of home respite, he/she could utilize a local skilled nursing facility for up to 30 days of respite. This is something that some families take advantage of and find it quite helpful.

Fortunately, individual has an individual budget that has a line item for several days of 24 hour out of home respite. At the time the budget and her IP were developed, the private agency indicated that they could provide the out of home respite if needed. However, the agency said that they were unsure why someone from their agency indicated that they could provide out of home respite, because they do not have the capacity to do this for any length of time. Region was not aware of any qualified provider that has the capacity to provide 24 hour out of home respite for a week or more. This was frustrating for the CM, as she thought this was something that they could do.

Another option would be if mom could hire to do in home supports, DDS may be able to fund a onetime grant to pay for this.

In conclusion, the case manager will speak to mom again about the possibility of using a skilled nursing facility for respite.

Jan 2012

Areas of Concern

○ Case Management -	13
○ Case Management Requests -	5
○ Day Program –	4
○ Eligibility -	6
○ Funding/Budget -	2
○ Guardianship –	3
○ Health & Safety –	2
○ HIPAA -	1
○ Information/Referral –	22
○ Placement –	4
○ Birth to 3-	2
○ School District services-	2
○ Autism-	4
○ ADA inquiries	(2) not counted

ISSUES/CONCERN TOTAL –70